

## **RESOLUTION NO. 2012-096**

A RESOLUTION AMENDING RESOLUTION NO. 2012-031 BY ADDING A NEW SUBSECTION TO CHAPTER 106 - UTILITIES FOR THE STORMWATER USER'S FEE RATES; ESTABLISHING THE SINGLE FAMILY UNIT SIZE; SETTING THE BASE RATE FOR STORMWATER USER'S FEES; ESTABLISHING THE METHOD OF CALCULATING STORMWATER USER'S FEES AND RATES FROM THE SINGLE FAMILY UNIT; ESTABLISHING THE RATES FOR PROPERTY CLASSIFICATIONS; SETTING THE EFFECTIVE DATE FOR BILLING SUCH FEES; AND APPROVING THE WRITTEN POLICY IMPLEMENTING THE SYSTEM OF CREDITS AND ADJUSTMENTS

WHEREAS, the board of mayor and alderman has established a stormwater utility that includes a stormwater utility fund known as the Kingsport Stormwater Management Fund; and

WHEREAS, the board sets the rates and charges for such fund by resolution; and

WHEREAS, the single-family unit (SFU) is the average square footage of the impervious surface area for a single-family residential property in the city; and

WHEREAS, the stormwater user's fee rate the user will be charged is determined by reference to the SFU and the property classification, and

WHEREAS, the city manager has recommended the rates as set forth herein derived from the recommendation of the city's stormwater advisory committee and city staff; and

WHEREAS, the board of mayor and aldermen has evaluated the recommendations and has determined that the fees and charges set forth herein are reasonably necessary to provide funding for the stormwater utility and to protect the public health and safety of the citizens; and

WHEREAS, the department of public works has developed a written policy to implement the system of credits and adjustments in compliance with Ordinance No. 6146; and

WHEREAS, it is now deemed advisable to amend Resolution No. 2012-031 to establish stormwater user's fee rates as part of Chapter 106 – Utilities.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That Resolution No. 2012-031 is amended by adding the following stormwater user's fee rates to Chapter 106-Utilities:

## M. Stormwater User's Fee Rates

The terms used in this subsection M shall have the same meaning ascribed to such terms in Ordinance No. 6146, establishing the stormwater utility.

The single-family unit (SFU) is hereby established as 3,794 square feet of impervious surface area.

For the other developed property classification in the chart below the number of single-family units is determined by dividing the total square footage of impervious surface area of the property by the single-family unit (SFU) rounded to the nearest tenth. The minimum value shall not be less than one single-family unit.

The base rate for stormwater user's fees is \$3.50 per month per SFU.

The stormwater user's fee rate for non-exempt single-family residential property, non-single family residential property, and other developed property classifications are shown in the following chart:

Classification	%SFU	Stormwater User's Fee Monthly Rate
Single-Family Residential Property		
Tier (square footage of impervious surface)		
0 to 1,912	70	\$2.45 per month
1,913 to 6,269	100	\$3.50 per month
6,270 and beyond	140	\$4.90 per month
Non-Single Family Residential Property – Duplexes, townhouses, apartments, condominiums, mobile homes, etc.		
Charge Per Each Dwelling Unit	60	\$2.10 per month per dwelling unit
Other Developed Property – Commercial, industrial, institutional, recreational, cultural, churches, parking lots, etc.	Variable depending on amount of impervious surface area	\$3.50 per SFU per month with a minimum fee of no less than \$3.50 per month


The stormwater user's fee shall be effective beginning February 1, 2012. The fee will become due at the end of the month in which it is charged, and it will be payable in the following month.

SECTION II. That the written policy developed by the department of public works entitled "City of Kingsport, Tennessee Credit and Adjustment Manual" dated December, 2011, a copy of which is attached hereto as Exhibit A, is approved.

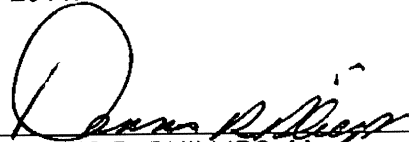
SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 6th day of December, 2011.

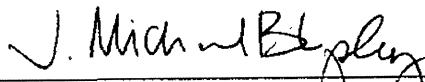
ATTEST:

  
ANGELA MARSHALL  
Deputy City Recorder



  
DENNIS R. PHILLIPS, Mayor

APPROVED AS TO FORM:

  
J. MICHAEL BILLINGSLEY, City Attorney